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HOUSE BILL 341

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Andy Nuñez

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING A SECTION OF THE MOTOR VEHICLE CODE TO PROVIDE FOR GROUNDS TO REFUSE, SUSPEND OR REVOKE REGISTRATION OR CERTIFICATE OF TITLE OF A VEHICLE THAT DOES NOT COMPLY WITH EMISSIONS STANDARDS ADOPTED PURSUANT TO THE ENVIRONMENTAL IMPROVEMENT ACT OR THE AIR QUALITY CONTROL ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-7 NMSA 1978 (being Laws 1978, Chapter 35, Section 27, as amended) is amended to read:

"66-3-7. GROUNDS FOR REFUSING, SUSPENDING OR REVOKING REGISTRATION OR CERTIFICATE OF TITLE.--The division may refuse, suspend or revoke registration or issuance of a certificate of title or a transfer of registration upon the ~~ground~~ grounds that:

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underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
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1 A. the application contains a false or fraudulent
2 statement or that the applicant failed to furnish the required
3 information or reasonable additional information requested by
4 the division or that the applicant is not entitled to the
5 issuance of a certificate of title or registration of the
6 vehicle under the Motor Vehicle Code;

7 B. the vehicle is mechanically unfit or unsafe to
8 be operated or moved upon the highways;

9 C. a commercial motor vehicle is operated by a
10 commercial motor carrier that is prohibited from operating the
11 vehicle by order of a state or federal agency;

12 D. the division has [~~a~~] reasonable [~~ground~~] grounds
13 to believe that the vehicle is a stolen or embezzled vehicle or
14 that the granting of registration or the issuance of a
15 certificate of title would constitute a fraud against the
16 rightful owner or other person having valid lien upon the
17 vehicle;

18 E. the registration of the vehicle stands suspended
19 or revoked for any reason as provided in the motor vehicle laws
20 of this state;

21 F. the required fee has not been paid;

22 G. the motor vehicle excise tax has not been paid;

23 H. the weight distance tax has not been paid;

24 I. international fuel tax agreement taxes have not
25 been paid;

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underscored material = new
[bracketed material] = delete

1 J. if the vehicle is a mobile home, the property
2 tax has not been paid;

3 K. the owner's address, as shown in the records of
4 the division, is within a class A county or within a
5 municipality that has a vehicle emission inspection and
6 maintenance program and the applicant has applied at an office
7 outside the designated county or municipality; ~~[or]~~

8 L. the owner is required to but has failed to
9 provide proof of compliance with a vehicle emission inspection
10 and maintenance program, if required in the county or
11 municipality in which the owner resides; or

12 M. the vehicle does not comply with emissions
13 standards adopted pursuant to the Environmental Improvement Act
14 or the Air Quality Control Act."